

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

| | | |
|---------------------|---|-------------------|
| KEITH RUSSELL JUDD, |) | |
| |) | |
| Petitioner, |) | |
| vs. |) | NO. CIV-06-1116-T |
| |) | |
| BILL KELLER, Warden |) | |
| |) | |
| Respondent. |) | |

ORDER


Petitioner, a prisoner appearing *pro se*, brought this action seeking habeas corpus relief pursuant to 28 U. S. C. § 2254. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Valerie K. Couch for initial proceedings.

On January 31, 2007 Judge Couch filed a Report and Recommendation [Doc. No. 12] in which she recommended that this action be dismissed because petitioner had failed to comply with the requirements of paying a filing fee or qualifying for *in forma pauperis* status. Despite repeated orders, petitioner's several motions seeking such status were incomplete. Judge Couch granted several extensions of time to allow petitioner to accurately submit the required information, but he failed to do so. Ultimately, she recommended dismissal.

In the Report and Recommendation, Judge Couch advised petitioner of his right to object to the findings and conclusions set forth therein and scheduled a February 20, 2007 deadline for filing such objections. She further expressly cautioned petitioner that a failure to timely file objections would result in a waiver of the right to appellate review of the matters determined in the Report and Recommendation.

To date, petitioner has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Therefore, the Report and Recommendation recommending dismissal of this action without prejudice [Doc. No. 12] is adopted as though fully set forth herein. The action is dismissed without prejudice to the filing of a future habeas action.

IT IS SO ORDERED this 6th day of March, 2007.



RALPH G. THOMPSON
UNITED STATES DISTRICT JUDGE